

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

RANDY RAY McCOLLISTER,)
TDCJ No. 688344,)
Plaintiff,)
)
v.) Civil No. 7:12-CV-140-O-BL
)
UNKNOWN DEFENDANTS,)
Defendants.)

**ORDER ACCEPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After making an independent review of the pleadings, files and records in this case, and of the Report and Recommendation of the United States Magistrate Judge, I am of the opinion that the Report and Recommendation of the Magistrate Judge is correct and it is hereby adopted and incorporated by reference as the Findings of the Court.

Accordingly, this action is DISMISSED without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(i) as frivolous.¹

SO ORDERED this 21st day of February, 2013.



Reed O'Connor
UNITED STATES DISTRICT JUDGE

¹ The District Clerk has notified this Court that Plaintiff failed to either pay the filing fee or seek leave to proceed *in forma pauperis*. Because this case is a duplicate of Plaintiff's previous case, the Court will not waste scarce judicial resources seeking a filing fee or a motion for leave to proceed *in forma pauperis*.